

EXHIBIT 4

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NETJUMPER, L.L.C.,
a Michigan limited liability corporation,

Case No. 04-70366-CV
Hon. Julian Abele Cook
Magistrate Judge R. Steven Whalen

Plaintiff,

vs.

GOOGLE, INC.,
a California corporation,

Defendant.

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PLAINTIFF'S SUPPLEMENTAL ANSWER TO INTERROGATORY #1 OF
DEFENDANT GOOGLE INC.'S FIRST SET OF INTERROGATORIES

NOW COMES Plaintiff, by and through its attorneys, SOMMERS SCHWARTZ, P.C., and for its supplemental answer to Interrogatory #1 of Defendant Google Inc.'s First Set of Interrogatories, states as follows:

INTERROGATORIES

1. For each claim of the patents-in-suit that You contend is infringed by Google, provide an infringement claim chart that fully and completely states the basis for such contention, including identifying Your construction of each element of such claim, every Google product (including product version number, release number and/or release date, and particular feature) (i.e., "accused Google product") that You contend infringes such claim, how each element of such claim is met by or is present in each such accused Google product, whether literal or by the doctrine of equivalents, all facts, information and data alleged to support such contention, and if such alleged infringement is indirect (i.e., under 35 U.S.C. §§ 271 (b) and/or (c)), identify all persons or entities who You contend directly infringe such claims.

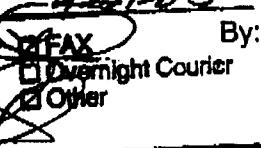
ANSWER: Plaintiff objects to this interrogatory on the grounds it is overly broad, and premature. Without waiver of its objection, NetJumper refers Google to Attachment 1 for an infringement chart showing the claims of the patents-in-suit, the current version of Google Toolbar, and the Google Viewer as it existed in approximately January, 2004. NetJumper is not yet aware of Google's position concerning infringement, and therefore cannot respond factually whether Google has caused indirect or contributory infringement. Investigation continues.

Supplemental response: Please see the attached amended infringement chart for a supplementation of Claim #1, specifically the portion of the claim that states "displaying a first and a second icon separate from the search window on said display screen"

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served ~~on [redacted]~~ to the above cause to each of the attorneys of record at their respective addresses disclosed on the pleading.

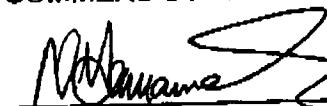
By: U.S. Mail FAX Hand Delivered Overnight Courier Federal Express Other

Signature: 

Dated: September 21, 2004

Respectfully submitted,

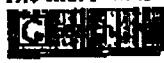
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INFRINGEMENT CHART
PATENT 5,890,172

<p>Claims U.S. Patent No. 5,890,172</p>	<p>Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14</p>
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Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>1. A computer implemented method for searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files, and the method for searching comprising the acts performed on the local computer of:</p>	<p>The method is shown as follows: Google Toolbar utilizes http protocol in software in a browser "Add-On" with computer readable code in a C++ (or other language) module to integrate with the browser.</p>
<p>constructing a search window on a display screen of the local computer;</p>	<p>The "<i>network of nodes with data files</i>" are (for example). <u>Search Results</u> shown in <u>Screen Capture-1</u>.</p> <p><i>"The data files identifiable by a location identifier"</i> are, for example, the links shown in the returned search results, such as "<u>Welcome to AURA</u>" in <u>Screen Capture-1</u> which has the location identifier "http://www.aura-astronomy.org/" shown in the "Address" location in <u>Screen Capture-2</u>.</p>
<p>displaying a first and a second icon separate from the search window on said display screen;</p>	<p>The "<i>search window</i>" that is constructed is shown in <u>Screen Capture-1</u> with search term "Universities".</p> <p>The first icon is the "Search Web"  button on the Google Toolbar. The second icon is the "Next and Previous"  Web Button. Both are "<i>separate from the search window on said display screen</i>."</p>
<p>retrieving an initial data file from the network together with displaying the initial data file in the search window, and the initial data file including location identifiers;</p>	<p>The retrieved "<i>initial data file from the network</i>" that is displayed "<i>in the search window</i>" in <u>Screen Capture-1</u> is identified as <u>Search Results</u>. This file contains "<i>location identifiers</i>".</p>
<p>parsing the location identifiers from the initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon; and</p>	<p>The Google Toolbar parses location identifiers from the initial data file as follows: when the "Next" Web Button shown in <u>Screen Capture-2</u> is clicked, the "<i>initial data file with list of location identifiers</i>" buffered in the Google Toolbar is parsed to "<i>form an initial list of location identifiers together with storing the initial list</i>". The "<i>stored initial list</i>" corresponds to the "<i>10 sites</i>" of the Google Toolbar description contained and identified in <u>Screen Capture-3</u>.</p>
<p>retrieving a first data file corresponding to a selected one of the location identifiers in the stored initial list together with displaying the first data file in the search window, responsive to a selection of the second icon.</p>	<p>When the "Previous" or "Next" Web Button is clicked, "<i>a first data file corresponding to a selected one of the location identifiers in the stored initial list</i>" is retrieved and "<i>displayed in the search window</i>".</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>2. The computer implemented method of claim 1 wherein: said initial data file comprises information in a markup language; and</p> <p style="padding-left: 2em;">said location identifiers comprise URLs.</p>	<p>The method is performed as shown in <u>Code Listing-1</u>, representing the Search Results which displays the hypertext "markup language" of the said "initial data file" representing the Search Results in <u>Screen Capture-1</u>.</p> <p>Lines 295-363 of <u>Code Listing-1</u> contain "said location identifiers" which "comprise URLs" such as the <u>Welcome to AURA</u> link (Line 313) shown in <u>Screen Capture-1</u> which contains the location identifier URL http://www.aura-astronomy.org/ (Line 313).</p>
<p>3. The computer implemented method of claim 1 wherein: said initial file and said first data file comprise information in a markup language; and</p> <p style="padding-left: 2em;">said location identifiers comprise URLs.</p>	<p>The method is performed as shown in <u>Code Listing-2</u>, representing, for example, the "<u>Welcome to AURA</u>" link in <u>Screen Capture-1</u> which has the location identifier http://www.aura-astronomy.org/, additionally displays a hypertext "markup language" of "first data file," which is shown in <u>Screen Capture-2</u>.</p> <p>Lines 295-363 in <u>Code Listing-1</u> contain "said location identifiers" which "comprise URLs".</p>
<p>4. The computer implemented method of claim 1 wherein said retrieving act further comprises;</p> <p style="padding-left: 2em;">retrieving the first data file corresponding to the one of the location identifiers in the stored initial list selected from a group consisting of: a next location identifier, a prior location identifier, a first location identifier and a last location identifier, together with displaying the first data file in the search window, responsive to a selection of the second icon.</p>	<p>The Google Toolbar retrieves the first data file corresponding to one of the location identifiers in the stored initial list, from a group consisting of a next location identifier, a prior location identifier, a first location identifier and a last location identifier, together with displaying the first data file in the search window, responsive to a selection of the second icon. as follows: the method is shown in <u>Code Listing-2</u>, representing, for example, the "<u>Welcome to AURA</u>" file in <u>Screen Capture-2</u> which, for example, has the location identifier http://www.aura-astronomy.org/ at Line 313 of <u>Code Listing-1</u> and has a next location identifier of http://www.universities-scotland.ac.uk/ at Line 320 and a previous location identifier of http://www.nasulg.org/ at Line 306, and a first location identifier of http://www.aascu.org/ at Line 297, and a last location identifier of http://www.neoucom.edu/ at Line 355.</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>5. A computer usable medium having computer readable program code means embodied therein for searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files, the computer readable program code means in said article of manufacture comprising:</p>	<p><i>"For searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files."</i> as described in Claim #1 above, with "computer readable program code" for a browser "Add-On" written in a method, for example, for an Internet Explorer Toolbar Add-on.</p>
<p>computer readable program code means for causing a computer to construct a search window on a display screen of the local computer;</p>	<p>Google's browser "Add-On" is the "computer readable program code" that "participates in processing."</p>
<p>computer readable program code means for causing a computer to display a first and a second icon separate from the search window on said display screen;</p>	<p><i>"Construct a search window on a display screen of the local computer,"</i> as described in Claim #1 above with "computer readable program code" as described above.</p>
<p>computer readable program code means for causing a computer to retrieve an initial data file from the network and displaying the initial data file in the search window, and the initial data file including location identifiers;</p>	<p><i>"Display a first and a second icon separate from the search window on said display screen,"</i> as described in Claim #1 above with "computer readable program code" as described above.</p>
<p>computer readable program code means for causing a computer to parse the location identifiers from the initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon; and</p>	<p><i>"An initial data file from the network and displaying the initial data file in the search window, and the initial data file including location identifiers,"</i> as described in Claim #1 above with "computer readable program code" as described above.</p>
<p>computer readable program code means for causing a computer to retrieve a first data file corresponding to a selected one of the location identifiers in the stored initial list together with displaying the first data file in the search window, responsive to a selection of the second icon.</p>	<p><i>"Parse the location identifiers from the initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon,"</i> as described in Claim #1 above with "computer readable program code" as described above.</p> <p><i>"Retrieve a first data file corresponding to a selected one of the location identifiers in the stored initial list together with displaying the first data file in the search window, responsive to a selection of the second icon,"</i> as described in Claim #1 above with "computer readable program code" as described above.</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>6. The computer readable program code means in said article of manufacture of claim 5 comprising:</p> <p>computer readable program code means for causing a computer to retrieve the initial data file, wherein said initial data file, comprises information in a markup language and said location identifiers comprise URLs.</p>	<p><i>"Wherein said initial data file, comprises information in a markup language and said location identifiers comprise URLs," as described in Claim #2, above with "computer readable program code" as described above in Claim #5, first paragraph.</i></p>
<p>7. The computer readable program code means in said article of manufacture of claim 5 comprising:</p> <p>computer readable program code means for causing a computer to retrieve the initial data file and the first data file, wherein each of said initial and said first data files, comprise information in a markup language and said location identifiers comprise URLs.</p>	<p><i>"Wherein each of said initial and said first data files, comprise information in a markup language and said location identifiers comprise URLs," as described in Claim #3, above with "computer readable program code" as described above in Claim #5, first paragraph.</i></p>
<p>8. The computer readable program code means in said article of manufacture of claim 5 comprising:</p> <p>computer readable program code means for causing a computer to retrieve the first data file corresponding to the one of the location identifiers in the stored initial list selected from a group consisting of: a next location identifier, a prior location identifier, a first location identifier and a last location identifier together with displaying the first data file in the search window, responsive to a selection of the second icon.</p>	<p><i>"Retrieve the first data file corresponding to the one of the location identifiers in the stored initial list selected from a group consisting of: a next location identifier, a prior location identifier, a first location identifier and a last location identifier together with displaying the first data file in the search window, responsive to a selection of the second icon," as described in Claim #4, above with "computer readable program code" as described above in Claim #5, first paragraph.</i></p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>9. A computer implemented method for searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files, and the method for searching, comprising the acts performed on the local computer of:</p>	<p>The method is shown as follows: Google Toolbar utilizes http protocol in a software browser with a browser "Add-On" with computer readable code in C++ code module (or other language) to integrate with the browser.</p>
<p>constructing a search window on a display screen of the local computer;</p>	<p>The "<i>network of nodes with data files</i>" are the <u>Search Results</u> shown in <u>Screen Capture-6</u>.</p>
<p>displaying a first and a second icon separate from the search window on said display screen;</p>	<p>"<i>Each of the data files identifiable by a location identifier</i>" are the links shown in the search results such as, for example, "<u>Welcome to AURA</u>," which has the location identifier "http://www.aura-astronomy.org/".</p>
<p>retrieving an initial data file from the network together with displaying the initial data file in the search window, and the initial data file including location identifiers;</p>	<p>The "search window" that is constructed is shown in <u>Screen Capture-6</u> with search term "Universities".</p>
<p>parsing the location identifiers from the initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon; and</p>	<p>The <u>Search Results</u> is the retrieved "<i>initial data file from the network</i>" that is displayed "<i>in the search window</i>" in <u>Screen Capture-1</u>, and this file contains "<i>location identifiers</i>".</p>
	<p>When the "First Result" Web Button (e.g., <u>Screen Capture-5</u>) is clicked, the "<i>initial data file with list of location identifiers</i>" buffered in the Google Toolbar is parsed to "<i>form an initial list of location identifiers together with storing the initial list</i>". The "<i>stored initial list</i>" corresponds to the "<i>10 sites</i>" of the Google Toolbar description contained and identified in <u>Screen Capture-3</u>.</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>automatically retrieving at a predefined time interval data files corresponding to each of the location identifiers in the stored initial list, together with successively displaying the data files in the search window, responsive to a single selection of the second icon.</p>	<p>When the "user selects" the play button  with the mouse, shown as a green triangle in the "navigational tool bar" shown in <u>Screen Capture-6</u>, it calls the function <u>fPlay()</u> as shown in <u>Line 428</u> in <u>Code Listing-3</u>. Whenever a Line Number is referred to in the remainder of this document, it is referring to a <u>line number</u> in <u>Code Listing-3</u>.</p> <p>Function <u>fPlay()</u> begins the <u>automatic "continuous scrolling slide show"</u> as shown in <u>Line 298</u> by calling function <u>fSlideShow()</u> (<u>Lines 220-226</u>) which in turn performs the steps that follow directly below.</p> <p>On <u>Line 223</u> function <u>fSlideShow()</u> calls function <u>fNext()</u> which begins on <u>Line 234</u>.</p> <p><u>fNext()</u> in turn calls <u>fSetResultNo()</u> on <u>Line 267</u> which "selects a first site identifier" from the "stored list of identifiers" in the statement on <u>Line 233</u>, which takes the variable <u>cur_page</u> (current page) and selects it into the current <u>resultino</u> element of the DHTML (dynamic hypertext markup language) document.</p> <p>After calling <u>fSetResultNo()</u>, the <u>fNext()</u> function then calls the function <u>fScroll()</u> on <u>Line 268</u> which "animates" the current site identifier into view in the "Jumper Window" as identified in <u>Screen Capture-2</u>.</p> <p>Finally, <u>fNext()</u> calls function <u>fLoadNext()</u> on <u>Line 285</u> which calls function <u>fGetUrl()</u> which "directs the browser to access the file at the site" as shown on <u>Line 72</u>.</p> <p>The statement on <u>Line 72</u> uses the "stored list of identifiers" in the array <u>U</u> from <u>Lines 15-25</u>.</p> <p>The display of the data files in the Search window occurs at function <u>fLoadNext()</u> <u>Lines 248-252</u>, called by <u>fNext()</u> called in function <u>fSlideShow()</u>.</p> <p>The Jumper initiates the delay at <u>Line 224</u> in function <u>fSlideShow()</u>. Specifically, the timer set in <u>Line 224</u> of function <u>fSlideShow()</u> (i.e. <u>delay*1000</u>) results in the "end of the interval" that results in another call to <u>fSlideShow()</u> which repeats the process above, which "selects the next site identifier" from the "stored list of site identifiers".</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>10. The computer implemented method of claim 9 wherein:</p> <p> said initial data file comprises information in a markup language; and</p> <p> said location identifiers comprise URLs.</p>	<p>The method is shown in <u>Code Listing-3</u>, the data file comprising information in a <i>markup language</i> and Lines <u>16-25</u> shows the "<i>site identifiers</i>" contained in the initial file of information which "<i>comprise URLs</i>".</p>
<p>11. The computer implemented method of claim 9 wherein:</p> <p> said initial data file and said first data file comprise information in a markup language; and</p> <p> said location identifiers comprise URLs.</p>	<p>The method is shown in <u>Code Listing-3</u>, the data file comprising information in a "<i>markup language</i>" and Lines <u>16-25</u> shows the "<i>site identifiers</i>" contained in the initial file of information which "<i>comprise URLs</i>". Similarly, the "AURA" website represented in Code Listing-2 is composed of a "<i>markup language</i>" which includes "<i>location identifiers (links) composed of URLs</i>".</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>12. A computer usable medium having computer readable program code means embodied therein for for [sic; repeated word] searching on a local computer a network of nodes with data files stored at corresponding ones of the nodes and each of the data files identifiable by a location identifier and several of the data files containing location identifiers for others of the data files, and the computer readable program code means in said article of manufacture comprising:</p> <p>computer readable program code means for causing a computer to construct a search window on a display screen of the local computer;</p> <p>computer readable program code means for causing a computer to display a first and a second icon separate from the search window on said display screen;</p> <p>computer readable program code means for causing a computer to retrieve an initial data file from the network together with displaying the initial data file in the search window, and the initial data file including location identifiers;</p> <p>computer readable program code means for causing a computer to parse said initial data file to form an initial list of location identifiers together with storing the initial list, responsive to a selection of the first icon;</p> <p>computer readable program code means for causing a computer to automatically retrieve at a predefined time interval data files corresponding to each of the location identifiers in the stored initial list, together with successively displaying the data files in the search window, responsive to a single selection of the second icon.</p>	<p>The method and process is described in Claim #9 above, with <i>computer readable program code</i> as shown in <u>Code Listing-3</u>.</p>
<p>13. The computer readable program code means in said article of manufacture of claim 12 comprising:</p> <p>computer readable program code means for causing a computer to receive said initial data file, wherein said initial data file, comprises information in a markup language and said location identifiers comprise URLs.</p>	<p>The method and process is described in Claim #10 above, with <i>computer readable program code</i> as shown in <u>Code Listing-3</u>.</p>

Claims U.S. Patent No. 5,890,172	Google Toolbar for Claims 1-8 Google Viewer for Claims 9-14
<p>14. The computer readable program code means in said article of manufacture of claim 12 comprising:</p> <p>computer readable program code means for causing a computer to receive said initial data file and said first data file, wherein said initial data file and said first data file, comprise information in a markup language and said location identifiers comprise URLs.</p>	<p>The method and process is described in Claim #11 above, with <i>computer readable program code</i> as shown in <u>Code Listing-3</u>.</p>

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FACSIMILE COVER SHEET

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FROM: Nabeel N. Hamameh

DATE: September 21, 2005

RE: Netjumper Software, LLC v. Google Inc.
USDC-Eastern District of Michigan Case No. 04-CV-70366

TIMEKEEPER/ 354
CLIENT/MATTER NUMBER: 157889-1

COMMENTS:

Please see enclosed.

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September 21, 2005

Via facsimile and 1st class mail

Jason W. Wolff, Esq.

Fish & Richardson

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San Diego, CA 92130

**Re: NetJumper, L.L.C. v Google, Inc.
USDC-Eastern District of Michigan Case No. 04-70366**

Dear Jason:

Please find enclosed Netjumper Software, L.L.C.'s supplemental response to Google's Interrogatory #1 of its first set. Should you have any questions, please contact me.

Very truly yours,

SOMMERS SCHWARTZ, PC

Nabeel N. Hamameh

cc: Michael M. Rosen, Esq.
L. Pahl Zinn, Esq.
Michael Baniak, Esq.